



ENTERED  
06/11/2019

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE:

INFRA TECHNOLOGY, LLC

DEBTOR

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CASE NO. 19-31444  
CHAPTER 7

JUDGE EDUARDO V. RODRIGUEZ

**ORDER GRANTING TRUSTEE'S MOTION TO COMPROMISE CONTROVERSY WITH  
AMERICAN WELDING SERVICES CORPORATION PURSUANT TO FRBP 9019**

(Docket # 41 )

CAME ON for consideration the above-titled motion (the "Motion")<sup>1</sup>. The Court finds that the notice of the Motion is sufficient under the circumstances; the requested relief is appropriate; and that the Trustee exercised sound business judgment in reaching the settlement approved herein. Accordingly,

The settlement described in the Motion is hereby APPROVED and it is hereby ORDERED that within ten (10) business days after closing of the auction sale(s) of the Property and GTL plant, the Trustee shall pay AWS the sum of \$125,000, or such lesser amount which remains if insufficient funds exist (the "Settlement Payment"), from the aggregate net proceeds of sale after deduction of the following Administrative Expenses from the gross proceeds of sale (hereafter the Administrative Expenses):

- a. Reimbursement of auctioneer expenses;
- b. Reimbursement of Debtor's owner's advancement of security and electric costs;
- c. *Ad valorem* property taxes due at the time of closing;
- d. Usual and customary costs of closing of the sale of the Property;
- e. Closing costs for the sale of the GTL plant;
- f. Estimated administrative expenses for attorney fees and expenses of general counsel through closing; estimated expenses for the Trustee's accountant and Trustee statutory fees under 11 U.S.C. § 326 based upon the sale value of the Property and GTL plant.

IT IS FURTHER ORDERED that within three (3) business days after making the Settlement Payment, the Trustee shall file a notice with the Court advising of the making thereof and upon filing such

<sup>1</sup> Capitalize terms not defined herein shall have the meanings set forth in the Motion.

it shall be deemed that the Debtor, the Estate, the Trustee and AWS have mutually generally released each other, and any property of the estate, of any and all claims in existence as of the date of entry of this Order, whether known or unknown, asserted or unasserted, accrued or unaccrued arising under any source whatsoever including, but not limited to, all claims in the Litigation; it is further

ORDERED that in the event that: (i) the auction proceeds are insufficient to pay the full \$125,000 to AWS after factoring in Administrative Costs; and (ii) there is a deficiency to AWS after adjudication of the property tax protest discussed in the Motion, the sales proceeds (minus the adjudged tax payment and any additional Administrative Costs which may accrue during the pendency of the tax protest) will first be used to pay AWS up to the agreed upon \$125,000.

**Signed:** June 11, 2019

  
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Eduardo V. Rodriguez  
United States Bankruptcy Judge